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PER 
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United States Middle District Court

Jamiel Williams

V.

2nd Amended Complaint

case no. 1:22-cv-01337

J.Rivello, ET AL

Motion to Add 2nd Amended Complaint

Jurisdiction & Venue

1. This is a civil action authorized by 42 U.S.C. section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. The court has jurisdiction under 28 U.S.C. section 1331 and 1343(a)(3). Plaintiff seeks declaratory, punitive relief pursuant to 28 U.S.C. section 2201 and 2202. Plaintiff's claims for injunctive relief are authorized by 28 U.S.C. section 2283 & 2284 and rule 65 of the Federal Rules of Civil Procedure. Plaintiff's Federal Tort Claims Act claims are authorized by 28 U.S.C. section 1346.

2. The United States Middle District Court is an appropriate Venue under 28 U.S.C. section 1391 (b) (2) because it is where events giving rise to this claim occurred.

Plaintiff

3. Plaintiff, Jamiel Williams is and was at all times mentioned herein a prisoner of the state of Pennsylvania, in the custody of the P.A. Department of Corrections. He is currently confined in SCI-Huntingdon, in Huntingdon P.A..

4. Plaintiff, DEMANDS Trial-by-Jury.

Defendants

5. Defendant, J.Rivello, is the Superintendent/Warden/Facility Manager of SCI-Huntingdon. He is legally responsible for the operations of SCI-Huntingdon, and for the welfare of all the inmates in that prison.

6. Defendant, J.Corley, is the LT.Security of SCI-Huntingdon. He is legally responsible for the safety

and welfare of all the inmates in that prison.

7. Defendant, Ms. Goss, is a Correctional Officer/ Unit Manager of the P.A.D.O.C., who at all times mentioned in this 2nd Amended Complaint, held the rank of Unit Manager and was assigned to SCI-Huntingdon.

Facts

8. J. Rivello's medical department refused to medicate Plaintiff, deliberate indifference; See: Guterrez V. Peters, 111 F.3d 1364, 1396 (7th cir. 1997) **GRIEVANCE # 1006423**

9. His Grievance response was biased because his personal relationship outside the position that he holds within SCI-Huntingdon could have encouraged him to protect other staff members (Ms. Goss, J. Corley) from any possible violations, either Policy and/or Constitutional.

10. He also failed to investigate assault on Plaintiff when told personally, and address institutional & employee wrongs.

11. This is also a violation of the 8th Amendment, Cruel & Unusual punishment since he's impeding my rights. See; Rhodes V. Chapman, 452 U.S. 337 (1981) Protection from violence as a basic life necessities.

BECAUSE OF J. RIVELLO'S SCI-HUNTINGDON'S DEPARTMENTAL POLICY (NOT ALLOWING INMATE ACCESS TO HAVING OR VIEWING DOCUMENTATION FROM OUTSIDE AGENCIES WHEN USED IN MISCONDUCT, PLAINTIFF COULDN'T PROVE INNOCENCE) & STAFF (EMPLOYEE) WRONG, DUE TO LEGAL-MAIL ROOM GIVING LEGAL-MAIL ADDRESSED TO PLAINTIFF TO ANOTHER INMATE, WHO WAS GIVING ACCESS BY STAFF THEN ALLOWED TO SIGN FOR LEGAL-MAIL NOT BELONGING TO HIM.

HARDSHIP COMES TO PLAINTIFF, BEING PLAINTIFF COULD NOT FILE APPEAL OR PETITION COURT; (IN RE: JAMIEL WILLIAMS V. PENNSYLVANIA DEPARTMENT OF CORRECTION, OOR DKT. AP 2022-2779) TO MAKE J. RIVELLO, GIVE PLAINTIFF DOCUMENTATION USED IN A MISCONDUCT FROM OUTSIDE AGENCY USED AGAINST PLAINTIFF IN MISCONDUCT REPORT # D643254, D643236, D643241 & GRIEVANCE # 995084.

12. J. Corley, punched Plaintiff in the shoulder twice and also grabbed the back of his neck & squeezed it tightly, where he felt extreme excratiating pain.
13. Because of Assault, He's in violation of the Code of Ethics, section B-2 being he used excessive force when that's not allowed and intimidation tactics which is not to be tolerated under the Code of Ethics. See "Whitley V. Albers, 475 U.S. at 320., Hudson V. McMillian, 503 U.S. 1 (1992)".
14. He's also in violation of section B-1 paragraph 2 for making racial comments & threats.
15. He forced me to sign a cease to communicate order (against my wife; Brenda V Francois, the victim in my crime) I did not agree with, due to me already having a stay away order, the Court of Common Pleas in Philadelphia gave to me for my initial Crime.
16. He caused infliction of "Cruel & Unusual Punishment" which is protected by the 8th amendment.
17. After above actions on 8-17-2022, J. Corley, opened & read my mail, which was an act of Intentional Tort that caused me to get a misconduct report #D643254 which violated my 4th amendment.
18. Ms. Goss, violated my 14th amendment "Equal Protection of the Law", by overlooking Plaintiff asking for help within the Request of Staff, where my cell-mate was stealing from me at time.
19. She atypical & significantly placed hardship on plaintiff, due to loss of job in SCI-Huntingdon's kitchen and he's placement in confinement.

Legal Claims

20. Each Defendant is Being Sued Individually and in his or her Official capacity. At all times mentioned in this 2nd Amended Complaint, each Defendant acted Under the Color of State Law.
21. The plaintiff, has no plain, adequate or complete remedy at Law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the Defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

Prayer For Relief

Wherefore, Plaintiff respectfully prays that this court enter judgment granting plaintiff:

22. A declaration that the acts and omissions described herein violated plaintiff's rights under the

Constitution and Laws of the United States.

23. Documentation from OVA, Used to give Plaintiff a Misconduct.
24. A preliminary and permanent injunction ordering defendant, J.Rivello, if staff uses outside paperwork from Agencies to give inmate a misconduct, let inmate view and have copy to prove himself innocent.
25. Compensatory damages in the amount of \$75,000 against each defendant, jointly and severally.
26. Punitive Damages in the amount of \$75,000 against each defendant.
27. A Jury trial on all issues triable by Jury.
28. Plaintiff's cost in this suit.
29. Any additional relief this court deems just, proper, and equitable.

DATED:

RESPECTFULLY SUBMITTED,

NAME: Jamiel L Williams,

1100 pike st, Huntingdon P.A., 16654

Verification

I have read the foregoing 2nd Amended Complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Huntingdon, P.A. on 12-27-2022

signed

Jamiel L. Williams, 12-27-2022

Smart Communications/PADOC

SCI- Huntingdon

Name JAMIEL WILLIAMS

Number QJ0995

PO Box 33028

St Petersburg FL 33733

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UNITED STATES MIDDLE DISTRICT COURT

U.S. COURTHOUSE

228 WALNUT STREET

P.O. BOX 983

Harrisburg, P.A. 17108

17108-0983 5031

